

AN ORDINANCE**BY TRANSPORTATION COMMITTEE**

AN ORDINANCE AMENDING THE 2005 [AIRPORT RENEWAL AND EXTENSION FUND (2H21), AIRPORT PASSENGER FACILITY CHARGE FUND (2H26), AND THE 2000 AIRPORT REVENUE BOND FUND (2H27)] BUDGETS BY TRANSFERRING TO AND FROM APPROPRIATIONS A TOTAL AMOUNT OF \$29,756,254 TO PROVIDE ADDITIONAL FUNDING AND FUNDING ADJUSTMENTS FOR VARIOUS PROJECTS IN THE HARTSFIELD-JACKSON DEVELOPMENT PROGRAM; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, Georgia (the "City") has undertaken a capital improvement program to facilitate major expansions and improvements at Hartsfield-Jackson Atlanta International Airport (the "Airport") in accordance with the new Airport Master Plan; and

WHEREAS, it is necessary to amend the 2005 [Airport Renewal and Extension Fund (2H21), the Airport Passenger Facility Charge Fund (2H26), and the 2000 Airport Revenue Bond Fund (2H27)] Budgets to provide additional funding and funding adjustments for certain Hartsfield-Jackson Development Program (H-JDP) projects, including H-JDP legal services, the relocation of the Tactical Air Navigation Antenna, the relocation of existing Georgia Power Company substations to accommodate the development of the Maynard Holbrook Jackson, Jr. International Terminal, design services for a new Non-Licensed Vehicle Roadway for new Runway 10-28, Apron Replacement Program, and CONRAC Architectural and Engineering Design Services.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1: That appropriations in the Airport Renewal and Extension Fund (2H21) Budget be transferred as follows:

TRANSFER FROM APPROPRIATIONS

2H21 774001 R21E01049999	Fac. Other Than Buildings-Concourse E	\$ 13,210
2H21 791001 T11001	Reserve for Appropriation-Reservation of Fund Appropriations	<u>890,031</u>
		<u>\$903,241</u>

TRANSFER TO APPROPRIATIONS

2H21 724001 H11001	Consultant/Prof. Services-Hartsfield	\$253,705
2H21 724001 R21E10209999	Consultant/Prof. Services - Capital Design& Mgmt/Design	595,434
2H21 729010 R21E05069999	Refunds-Commuter Runway Project	<u>54,102</u>
		<u>\$ 903,241</u>

Section 2: That appropriations in the Airport Passenger Facility Charge Fund (2H26) be transferred as follows:

TRANSFER FROM APPROPRIATIONS

2H26 774001 R21E052696AA	Fac. Other Than Buildings - Apron Capital Improvements	<u>\$21,950,246</u>
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TRANSFER TO APPROPRIATIONS

2H26 791001 T11001	Res. for Appropriation-Reservation of Fund Appropriations	\$20,537,416
2H26 774001 R21E010496AA	Fac. Other Than Buildings-Concourse E	<u>1,412,830</u>
		<u>\$21,950,246</u>

Section 3: That appropriations in the 2000 Airport Revenue Bond Fund (2H27) Budget be transferred as follows:

TRANSFER FROM APPROPRIATIONS

2H27 774001 R21E050693CG	Fac. Other Than Buildings -Commuter Runway Project	<u>\$6,902,767</u>
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TRANSFER TO APPROPRIATIONS

2H27 791001 T11001	Res. for Appropriation-Reservation of Fund Appropriations	\$3,101,494
2H27 774001 R21E010493CG	Fac. Other Than Buildings - Concourse E	<u>3,801,273</u>
		<u>\$6,902,767</u>

Section 4: That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Legislative White Paper

Committee of Purview: Transportation Committee

Caption: AN ORDINANCE AMENDING THE 2005 [AIRPORT RENEWAL AND EXTENSION FUND (2H21), AIRPORT PASSENGER FACILITY CHARGE FUND (2H26), AND THE 2000 AIRPORT REVENUE BOND FUND (2H27)] BUDGETS BY TRANSFERRING TO AND FROM APPROPRIATIONS A TOTAL AMOUNT OF \$29,756,254 TO PROVIDE ADDITIONAL FUNDING AND FUNDING ADJUSTMENTS FOR VARIOUS PROJECTS IN THE HARTSFIELD-JACKSON DEVELOPMENT PROGRAM AS DETAILED BELOW; AND FOR OTHER PURPOSES.

Legislation Title: Additional funding and funding adjustments for various Hartsfield-Jackson Development Program projects

Council Meeting Date: June 20, 2005

Requesting Dept.: Department of Aviation

Contract Type: N/A

Source Selection: N/A

Bids/Proposals Due: N/A

Invitations Issued: N/A

**Number of Bids/
Proposals Received:** N/A

Bidders/Proponents: N/A

Justification Statement: This ordinance provides additional funding and funding adjustments for various Hartsfield-Jackson Development Program (H-JDP) projects, including:

1. Additional funding for outside counsel to the City of Atlanta in connection to the expansion of the Hartsfield-Jackson Atlanta International Airport;
2. Funding for the relocation of the Tactical Air Navigation (TACAN) Antenna to support new Runway 10-28;
3. Adjustments to the funding for the relocation of existing Georgia Power Company substations to accommodate the development of the Maynard Holbrook Jackson, Jr. International Terminal (MHJIT);

4. Funding for design services for the Non-Licensed Vehicle Road (NLVR) for Runway 10-28;
5. Additional funding for architectural and engineering design services for the CONRAC facility; and
6. Release of duplicate funding for the replacement of Aprons 1 and 3.

These adjustments require transfer of appropriations in the amount of \$29,756,254.

Background:

1. Additional funding for outside counsel to the City of Atlanta in connection to the Airport expansion:
 - On December 31, 2004, the appropriation funding balance for Resolution No. 03-R-1872, adopted by City's Council on December 1, 2003, and approved by the Mayor on December 4, 2003, for the City's retainer agreement with the law firms of Kilpatrick Stockton, LLC, and Johnson & Freeman, LLC, was \$253,705.61.
 - On February 7, 2005, the City's Council adopted Resolution No. 05-R-0126, which was approved by the Mayor on February 14, 2005, in the amount of \$4,750,000, for additional outside counsel funding. However, instead of adding \$4,750,000 in appropriations to the \$253,705.61, the outside legal counsel appropriation balance was increased to \$4,750,000, causing the appropriation to be under-funded by \$253,705.61 in error.
 - This ordinance brings the appropriation account balance to the correct funding amount of \$5,003,705.51.
2. Funding for the cost of relocating the FAA TACAN Antenna:
 - The City committed to the FAA to relocate the TACAN Antenna to accommodate the construction of the new Runway 10-28. The FAA agreed, per Reimbursable Agreement No. SO-0542-07P, adopted by the City's Council on May 19, 2003, and approved by the Mayor on May 27, 2005, to furnish the City, directly or by contract, supplies, equipment, and services, to relocate the antenna for a cost not to exceed \$256,556.
 - The agreement was set up as a direct pay, so no purchase order encumbers the funds in the MARS/G Financial System for this agreement. Of the original \$256,556 originally appropriated for

this agreement, only \$202,454 in appropriations are left to fund the Agreement. An additional \$54,102 in funding is needed to ensure complete funding for the agreement.

3. Funding adjustment for the Runway 10-28 Site Preparation project and additional funding for the permanent relocation of existing Georgia Power Company substations:
 - \$6,902,767 in Runway 10-28 Site Preparation project costs were originally intended to be funded with 2000 Airport Revenue Bond Fund (2H27) appropriations. However, pursuant to Resolution No. 03-R-1895, adopted by City's Council on November 17, 2003, and approved by the Mayor on November 24, 2003, which authorized the Mayor to utilize FAA grant awards as a funding source for the Runway 10-28 Site Preparation project, the funding source for the \$6,902,767 portion of the project was changed from 2000 Airport Revenue Bond Fund (2H27) funds to FAA grants funds.
 - This ordinance returns a portion of the original \$6,902,767 in 2000 Airport Revenue Bond Fund (2H27) appropriations to the Reserve for Appropriation (\$3,101,494), and utilizes the remainder (\$3,801,273) to fund additional costs related to the relocation of existing Georgia Power Company substations to accommodate the development of MHJIT, in accordance to a contractual agreement adopted by the City's Council's Resolution No. 02-R-2131, dated January 6, 2003, and approved by the Mayor on January 13, 2003.
 - The relocation of existing Georgia Power Company substations will also require additional funding from the Airport Passenger Facility Charge Fund (2H26) in the amount of \$1,412,839.
 - Airport Renewal and Extension Fund (2H21) funding in the amount of \$13,210, appropriated in the original Georgia Power Company legislation noted above, will not be required, and is being returned to the Airport Renewal and Extension Fund (2H21) Reserve for Appropriation.

4. Funding is required for the design of the Non-Licensed Vehicle Road project for Runway 10-28, in the amount of \$264,000, which will be assigned to one of the Airport's On-call Design Teams, to be funded from Airport Renewal and Extension Fund (2H21) Reserves.
5. Funding is required for the first amendment to FC-7584-03, which was authorized by Resolution No. 03-R-2160, adopted by City Council on December 1, 2003, for architectural and engineering design services for the CONRAC facility, to be provided by R.L. Brown and Associates, Pierce Goodwin Alexander & Linville, Inc., and Walter P. Moore and Associates, Inc., a Joint Venture, to be funded from the Airport Renewal and Extension Fund (2H21).
6. Funding adjustment for the Apron Replacement Program – Ramp 1 and 3 project:
 - Funds for the Apron Replacement Program – Ramp 1 and 3 project, in the amount of \$21,950,246, were originally appropriated in the 2004 Airport Passenger Facility Charge (PFC) Bond Fund (2H31), as part of Ordinance No. 04-O-1249, adopted by City's Council on July 19, 2004, and approved by the Mayor on July 22, 2004, which anticipated and appropriated proceeds of Series 2004 Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds.
 - An additional \$21,950,246 in appropriations were set aside in the Airport Passenger Facility Charge (PFC) Fund (2H26), as part of the 2005 Budget, adopted by City's Council's Ordinance No. 05-O-0214, on February 21, 2005, and approved by the Mayor on February 23, 2005, to fund the Apron Replacement Program – Ramp 1 and 3 project.
 - Funds for this project were encumbered in the 2004 Airport Passenger Facility Charge Bond Fund (2H31), pursuant to Resolution No. 05-R-0628, adopted by City's Council on April 18, 2005, and approved by the Mayor on April 26, 2005, so the appropriation in the Airport Passenger Facility Charge (PFC) Fund (2H26) is no longer required. The available PFC funds will be returned to the Airport Passenger Facility Charge Fund (2H26) Reserve for Appropriation.

Appropriations Transfer**Amount:** \$29,756,254

Fund Account Centers: 2H21 724001 R21001
2H21 774001 R21E01049999
2H21 791001 T11001
2H21 724001 R21E10209999
2H21 729010 R21E05069999
2H26 791001 T11001
2H26 774001 R21E010496AA
2H26 774001 R21E052696AA
2H27 774001 R21E050693CG
2H27 791001 T11001
2H27 774001 R21E010493CG

Source of Funds: Airport Renewal and Extension Fund (2H21)
Airport Passenger Facility Charge Fund (2H26)
2000 Airport Revenue Bond Fund (2H27)

Fiscal Impact: N/A

Term of Contract: N/A

Method of Cost Recovery: N/A

Approvals:**DOF:****DOL:**

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